

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): James G. CLOUGH, et al.

Docket No.

09166/002002

Serial No.

10/032,604

Filing Date

10/19/2001

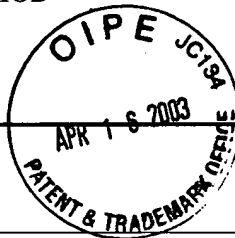
Examiner

J. Mohandesi

Group Art Unit

3728

Invention: ORTHOPEDIC SHOE APPLIANCE AND METHOD



I hereby certify that the following correspondence:

Restriction Requirement

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|---|-------------------------------------|-----------------------------|--|----------------------------|-------------------|
| *AMENDMENT TRANSMITTAL LETTER (Small Entity) | | | | Docket No. 09166/002002 | |
| Applicant(s): James G. CLOUGH, et al. | | | | | |
| Serial No. 10/032,604 | Filing Date 10/19/2001 | Examiner J. Mohandesi | | Group Art Unit 3728 | |
| Invention: ORTHOPEDIC SHOE APPLIANCE AND METHOD | | | | | |
| <u>TO THE ASSISTANT COMMISSIONER FOR PATENTS.</u> | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| <input checked="" type="checkbox"/> Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted. | | | | | |
| <input type="checkbox"/> A verified statement to establish Small Entity status under 37 FR 1.27 is enclosed. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST # PREV. PAID FOR | NUMBER EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 55 - | 55 = | 0 x | \$9.00 | \$0.00 |
| INDEP. CLAIMS | 3 - | 3 = | 0 x | \$42.00 | \$0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$0.00 |
| <input checked="" type="checkbox"/> No additional fee is required for amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ A duplicate copy of this sheet is enclosed. | | | | | |
| <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. | | | | | |
| <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0591 A duplicate copy of this sheet is enclosed. | | | | | |
| <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. | | | | | |
| <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. | | | | | |
| Signature <i>Jeffrey S. Beraman</i> 45,925 | | | Dated: 4/16/03 | | |
| Jonathan P. Osha, Reg. No. 33,986 ROSENTHAL & OSHA, L.L.P. 1221 McKinney, Suite 2800 Houston, Texas 77010 Telephone: (713) 228-8600 Facsimile: (713) 228-8778 | | | RECEIVED APR 21 2003 TECHNOLOGY CENTER R3700 | | |
| I certify that this document and fee is being deposited on _____ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231. | | | | | |
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PATENT
ATTORNEY DOCKET NO. 09166/002002
PATENT APPLICATION NO. 10/032,604

Handwritten notes:
#4
Election
C. P. Osha
4/22/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : James G. CLOUGH et al. Art Unit: 3728
Serial No.: 10/032,604 Examiner: Jila M. Mohandesi
Filed: October 19, 2001
Title: ORTHOPEDIC SHOE APPLIANCE AND METHOD

Assistant Commissioner for Patents
Washington, DC 20231

REPLY UNDER 37 CFR § 1.111

Dear Sir:

In response to the election of species requirement dated March 28, 2003, Applicant respectfully requests the included remarks be considered.

REMARKS

In reply to the election of species requirement, Applicant elects Species III, on which claims 1, 2, 21, 22, 23, and 40-42 read. Applicant submits that claims 1, 21, and 40 are generic to all Species, as categorized by the Examiner. Accordingly, all non-elected claims are left pending as, if claim 1 is allowable, all claims belonging to other species should then be considered.

Applicant believes this reply to be fully responsive to all outstanding issues. If this belief is incorrect, or other issues arise, do not hesitate to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 09166.002002).

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Respectfully submitted,

Date: 4/16/03

Signature: Jeffrey S. Bergman
Jonathan P. Osha
Reg. No. 33,986

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